

**MINUTES**  
**VILLAGE OF LAKE PARK COUNCIL MEETING**  
**3801 LAKE PARK ROAD, LAKE PARK, NC**  
**REGULAR SESSION – 7:00 P.M.**  
**JANUARY 13, 2009**

**ATTENDING:** Mayor Kendall Spence  
Mayor Pro-Tem: Sandy Coughlin  
Council Members: Greg Crosby, Virginia Currence,  
Jo Waybright, Clint Newton  
Finance Officer – Cheryl Bennett  
Village Clerk/Tax Collector – Cheri Clark  
Attorney Ken Swain

**CALL TO ORDER:** Mayor Kendall Spence called the Regular Session of the Village of Lake Park Council to order.

**PLEDGE OF ALLEGIANCE:** Mayor Kendall Spence led the Pledge of Allegiance to the Flag of the United States of America.

**APPROVAL OF MINUTES:** Sandy Coughlin made the motion to approve the December 9, 2008 Regular Session minutes as presented. Virginia Currence seconded the motion. Vote – Unanimous.

**PUBLIC COMMENT:** Mark Phillips inquired as to the possibility of demolishing the parent HOA and adding the architectural review function to the VOLP. Jo Waybright responded that in order to change the status of the HOA, ninety percent of the homeowners would need to sign the petition. The VOLP currently owns and maintains all of the parks, ponds and walkways except Fred Kirby, provides two contract deputies, garbage collection and maintains all of the roads in Lake Park except Faith Church.

Mr. Charles Cobb expressed his and his neighbors' frustrations over the 9 unit modular system that was installed at the Central Academy at Lake Park. The homeowners' view from patios, decks and upstairs windows are of trailers. The question of how the developer can grant exceptions to Institutional Guidelines when the VOLP has no control creates frustrations for residents. A lot of frustration could have been avoided if the Academy had been a good neighbor. Jim Miller wanted to know why the school did not have to conform to the HOA guidelines. Curt Smith suggested that the school raise tuition in order to cover building expansions instead of adding temporary trailers.

Dr. Mildred Similton with Central Academy at Lake Park and Pastor Greg Baker with Central Church of Christ apologized to the residents for having to accept the units on such short notice. The modular system was donated to the school with the stipulation that it be removed from the Fletcher School by December 31, 2008. Enrollment has doubled at the academy in one year. They do plan to enhance the landscaping and paint the modular units. Mayor Kendall Spence asked about the time frame to have the two trailers removed

that are parked in the gym parking lot. A date to move the old trailers has not been set. The new modular unit will probably be a part of the school for at least five years.

Mr. Charles Cobb requested that Council address this type of issue to minimize it happening again.

**CHANGES TO THE AGENDA:** Sandy Coughlin made the motion to approve the agenda as presented. Jo Waybright seconded the motion. Vote – Unanimous.

**SECURITY:** Deputy Haywood reported that there were 129 calls in the month of December. Sandy Coughlin asked when we see a parking violation, would it be helpful to take a picture and send it to the [officer@lakeparknc.gov](mailto:officer@lakeparknc.gov) e-mail? An e-mail to the deputy identifying the violation is more than adequate. Clint Newton is working on information about Crime Stoppers.

**COMMUNITY CENTER EXPANSION:** Roger Layman with Roger Layman Architecture provided a cost range for the addition of somewhere between \$469,668 and \$310,525. The \$310,525 figure is bare bones with no element of contingency. We should fall somewhere in-between. The project should take about three month to build.

Sandy Coughlin asked about the actual cost to the community including electricity, heating and air condition, and maintenance. We will need all of this information for budget workshop. The VOLP may also want to check with residents around Russell Park and invite feedback concerning the expansion.

Clint Newton expressed his concerns about there being so many entities controlling the community i.e. the village Council; parent residential HOA, Union County and the developer. It is very frustrating when there is not a single governing body. Virginia Currence agreed and also expressed her concerns about having the developer control the institutional growth. Attorney Ken Swain pointed out that Union County controls zoning and planning and that they issued the permits. If Council looks to create an infrastructure, the expense in doing so will be somewhere between \$75,000 and \$125,000. We could do a minimal housing ordinance. A municipality, as a public entity, is not going to have the ability to restrict like an HOA would as a private entity.

**FINANCE OFFICER’S MONTHLY REPORT:** Cheryl Bennett presented the budget for Council review.

	<u>Dec 08</u>	<u>Jul - Dec 08</u>	<u>Budget</u>	<u>% of Budget</u>
<b>General Fund</b>				
<b>Revenues</b>				
<b>Other revenues</b>				
<b>Payment Kirby park sidewalk</b>	0.00	16,314.95	4,500.00	362.55%
<b>Approp. Fund Balance</b>	0.00	0.00	52,122.00	0.0%
<b>National Night Out</b>	0.00	320.00	4,890.00	6.54%

Civil Penalties	0.00	0.00	200.00	0.0%
Investment revenue	281.41	6,489.91	21,000.00	30.9%
Miscellaneous	25.00	1,154.00	600.00	192.33%
<b>Total Other revenues</b>	306.41	24,278.86	83,312.00	29.14%
<b>Other Taxes</b>				
Cable franchise-from Time Warner	0.00	760.00	2,800.00	27.14%
<b>Total Other Taxes</b>	0.00	760.00	2,800.00	27.14%
<b>Parks &amp; Recreation Revenue</b>				
Recreation Program Fees	0.00	916.70	200.00	458.35%
Community Center rental	435.00	1,750.00	2,800.00	62.5%
Gazebo rental	0.00	60.00	400.00	15.0%
Recreation concession sales	0.00	0.00	800.00	0.0%
Recreation daily swim fees	0.00	3,571.84	6,200.00	57.61%
Recreation season pass fees	0.00	2,027.00	50,000.00	4.05%
<b>Total Parks &amp; Recreation Revenue</b>	435.00	8,325.54	60,400.00	13.78%
<b>Property Taxes</b>				
Ad valorem current year	103,863.18	397,347.54	477,784.00	83.17%
Ad valorem prior years	805.01	6,179.90	4,200.00	147.14%
Late fees (ad)	0.00	102.49	92.00	111.4%
Motor vehicle tax	1,854.99	20,662.12	51,010.00	40.51%
Penalties and interest	162.34	1,002.00	1,250.00	80.16%
Utility ad valorem	0.00	0.00	7,000.00	0.0%
<b>Total Property Taxes</b>	106,685.52	425,294.05	541,336.00	78.56%
<b>State Shared Revenues</b>				
Telecom. Franchise	389.00	271.00		
Piped Gas	728.00	537.00		
Elec. franchise tax	19,897.60	18,330.08		
Cable Rev. (from State)	5,508.69	5,855.60	18,000.00	32.53%
Sales and use tax	12,970.12	41,631.81	190,000.00	21.91%
Utility franchise	0.00	0.00	72,000.00	0.0%
<b>Total State Shared Revenues</b>	39,493.41	66,625.49	280,000.00	23.8%
<b>Total Revenues</b>	146,920.34	525,283.94	967,848.00	54.27%
<b>Expense</b>				
<b>Capital Outlay</b>				
Community Center Addition	0.00	0.00	4,500.00	0.0%

Capital Outlay Exp. Reserve for Capital Replacement	0.00	1,100.00	10,000.00	11.0%
	<u>0.00</u>	<u>0.00</u>	<u>10,000.00</u>	<u>0.0%</u>
<b>Total Capital Outlay</b>	0.00	1,100.00	24,500.00	4.49%
<b>General Administrative Expenses</b>				
Adm Assistant	0.00	144.00	600.00	24.0%
Clerk/Tax Collector	3,565.42	21,392.52	42,785.00	50.0%
Council	3,000.00	5,500.00	11,000.00	50.0%
Finance Officer	855.83	5,134.98	10,270.00	50.0%
Mayor	850.00	1,500.00	3,000.00	50.0%
Payroll Expenses	<u>632.75</u>	<u>2,575.84</u>	<u>5,400.00</u>	<u>47.7%</u>
<b>Total General Administrative Expenses</b>	8,904.00	36,247.34	73,055.00	49.62%
<b>Maintenance of Common Areas</b>				
Landscaping	21,600.00	89,424.00	165,000.00	54.2%
Park maintenance	2,259.95	13,938.58	33,500.00	41.61%
Pond maintenance	<u>0.00</u>	<u>8,340.00</u>	<u>10,000.00</u>	<u>83.4%</u>
<b>Total Maintenance of Common Areas</b>	23,859.95	111,702.58	208,500.00	53.57%
<b>Operating Costs</b>				
Advertising	0.00	40.42	400.00	10.11%
Association dues	0.00	2,880.00	2,880.00	100.0%
Bank charges	0.00	0.00	20.00	0.0%
Elections	0.00	560.25	800.00	70.03%
Insurance/bonds	0.00	8,683.08	9,800.00	88.6%
Miscellaneous oper. exp.	0.00	80.96	1,000.00	8.1%
Newsletter/website/flyers	342.50	1,023.95	2,700.00	37.92%
Office	145.80	1,209.19	7,100.00	17.03%
Postage	42.00	197.43	300.00	65.81%
Tax collection	818.23	1,265.88	900.00	140.65%
Telephone	220.19	1,395.58	2,900.00	48.12%
Training	0.00	0.00	800.00	0.0%
Travel	<u>23.24</u>	<u>23.24</u>	<u>500.00</u>	<u>4.65%</u>
<b>Total Operating Costs</b>	1,591.96	17,359.98	30,100.00	57.67%
<b>Other Expenditures</b>				
Economic Development	15.45	691.27	2,500.00	27.65%
Contingency	0.00	0.00	20,000.00	0.0%
Stormwater Fee	<u>730.00</u>	<u>930.00</u>	<u>12,000.00</u>	<u>7.75%</u>
<b>Total Other Expenditures</b>	745.45	1,621.27	34,500.00	4.7%

<b>Parks &amp; Recreation</b>				
Pool Operations	66.00	160.99	1,000.00	16.1%
Comm. center maintenance	697.79	3,485.28	9,000.00	38.73%
Seasonal Decorations	7,310.14	10,917.42	12,000.00	90.98%
Natural Gas	110.92	312.05	1,200.00	26.0%
Pool maintenance	0.00	5,511.99	9,500.00	58.02%
Pool management fee	0.00	14,880.10	46,880.00	31.74%
Events/Recreation programs	0.00	1,648.89	2,300.00	71.69%
Storage Rental	0.00	1,193.40	1,113.00	107.22%
Water/Sewer	94.55	1,240.54	3,000.00	41.35%
<b>Total Parks &amp; Recreation</b>	<b>8,279.40</b>	<b>39,350.66</b>	<b>85,993.00</b>	<b>45.76%</b>
<b>Professional Fees</b>				
Engineering Fees	0.00	0.00	2,500.00	0.0%
Accountant	4,100.00	4,100.00	4,200.00	97.62%
Legal Counsel	0.00	4,658.15	10,000.00	46.58%
<b>Total Professional Fees</b>	<b>4,100.00</b>	<b>8,758.15</b>	<b>16,700.00</b>	<b>52.44%</b>
<b>Public Services/Safety</b>				
Street Signs	1,470.00	1,530.00	3,500.00	43.71%
National Night Out	0.00	1,485.88	7,000.00	21.23%
Community Watch	0.00	0.00	1,000.00	0.0%
Garbage collection	21,615.50	105,592.90	257,000.00	41.09%
Law enforcement	33,179.50	99,538.50	133,000.00	74.84%
Street Lights	7,725.60	48,214.41	93,000.00	51.84%
<b>Total Public Services/Safety</b>	<b>63,990.60</b>	<b>256,361.69</b>	<b>494,500.00</b>	<b>51.84%</b>
<b>Total Expense</b>	<b>111,471.36</b>	<b>472,501.67</b>	<b>967,848.00</b>	<b>48.82%</b>
<b>Net General Fund</b>	<b>35,448.98</b>	<b>52,782.27</b>	<b>0.00</b>	<b>100.0%</b>
<b>Powell Bill</b>				
<b>Powell Bill Income</b>				
Interest - Powell Funds	38.42	381.88		
Powell Bill Revenue	0.00	96,089.45		
<b>Total</b>	<b>38.42</b>	<b>96,471.33</b>		
<b>Powell Bill Expense</b>				
Street Exp. - Powell Bill	223.00	93,535.97		
<b>Total</b>	<b>223.00</b>	<b>93,535.97</b>		
<b>Net Excess of Rev. over Exp.</b>	<b>Net Powell Bill</b>	<b>-184.58</b>	<b>2,935.36</b>	

<u>35,264.40</u>	<u>55,717.63</u>	<u>0.00</u>	<u>100.0%</u>
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Based upon the decreases in Sales and Use Tax, Investment Income and Motor Vehicle Tax, the projected shortfall for the VOLP will be somewhere around \$50,000. A budget amendment was presented for review. Sandy Coughlin made the motion to adopt Budget Ordinance Amendment 2008/09 #1. Clint Newton seconded the motion. Vote – Unanimous.

### Budget Ordinance Amendment 2008/09 #\_1\_

BE IT ORDAINED by the Governing Board of the Village of Lake Park, North Carolina, that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2009:

Section 1. To amend the General Fund, the appropriations are to be changed as follows:

	Decrease	Increase
<u>Revenues:</u>		
<u>State Shared Revenues:</u>		
Telecom. Franchise		\$ 600
Piped Gas		1,400
Electric Franchise Tax		70,000.
Utility Franchise	\$72,000	
<u>Operating Costs</u>		
Tax Collection		\$ 370
Misc. Oper. Exp.	\$ 370	
<u>Parks and Recreation</u>		
Storage Rental		\$ 81
Com. Center Maint.	\$ 81	
<u>Powell Bill Revenues:</u>		
Fund Balance Powell Bill		\$112,624
Interest – Powell Funds		\$ 400
Powell Bill Revenue		\$ 96,089
<u>Powell Bill Expense:</u>		
Street Exp. – Powell Bill		\$209,113

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, and to the Budget/Finance Officer for their direction.

Adopted this \_13th\_ day of \_\_\_January\_\_\_ 2009.

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Cheri Clark, Clerk

Kendall Spence, Mayor

**TAX OFFICER'S REPORT:** Eighty three percent of the 2008 tax levy has been collected as of December 31st. Cheri Clark requested a refund of 322.44 for overpayments to the VOLP. Virginia Currence made the motion to refund \$322.44. Jo Waybright seconded the motion. Vote – Unanimous. Cypress Homes did not pay the taxes on the two lots under construction. Attorney Ken Swain has found no foreclosure on the two pieces of property. Cheri Clark will contact the county and check on the tax status.

**PUBLIC SERVICES (Waste Collection & Electric):** Sandy Coughlin stated that the VOLP picked up two new townhouses in the month of December. There are new recycling guidelines and limitation for recycle bins which are submitted for the January *Villager*. All trash placed outside the receptacle will need to be in clear bags. Yard debris and trash cannot be intermingled. During her meeting with Action Garbage in December, the tipping fee increase was discussed. A portion of the statewide tipping fee will be returned to the municipality.

Clint Newton reported that electrical rose in December due to the Christmas lights.

**COMMUNICATION:** Greg Crosby asked that all articles for the next Villager be submitted by January 16<sup>th</sup>. Articles for the January newsletter will include topics such as: Crime Stoppers, Waste Collection, Economic Development, Stormwater and Tennis Court Usage Availability.

**PARK AND RECREATION:** Virginia Currence stated that one of the fountain pumps in Russell Park is no longer operable. Lucas Landscaping has repaired the retaining wall leak in Connie's Pond and based on discussions with the Sheriff's Department, signs do not need to be posted in the parks in order for the Deputies to enforce curfews. The Common Area Planning Task Force is working hard but it will be March before a plan is presented to Council.

Jo Waybright shared that most of the holiday decorations are down and that there is some electrical work that needs to be done. Spence Electric was out before the tree lighting and did a couple of temporary repairs. The neighborhood sign lights at Creft and Faith Church are not working.

**STORMWATER:** The Village of Lake Park needs to determine the county's deadline for a stormwater line inclusion on the 2009 tax bill. Council will need to determine whether to charge a flat rate for residential and commercial properties.

**STREET BUSINESS:** Mayor Kendall Spence will contact DOT concerning Faith Church and Indian Trail/Unionville intersection and the impact of the new child development center. Currently all DOT projects are on hold due to the projected budget shortfalls.

**ECONOMIC DEVELOPMENT:** Angela Williams hosted a tax seminar on January 12<sup>th</sup> for the community. Sandy Coughlin addressed the Central Academy at Lake Park's growth. The Academy is growing and five years of temporary units will go by fast. At least the modular units are in the rear of the building and not in front of the Academy. As the Academy experiences growing pains, the village acknowledges the fact that Central has managed a transformation by bringing the Academy back from nearly closing its doors a year ago.

Clint Newton expressed his concerns about how the public feels that the developer controls this town. Between the Council, HOA and the Mathisen Company no wonder people are confused as to the duties of each governing body. We owe it to the VOLP residents to educate ourselves and them as to the different groups' responsibilities. Greg Crosby also expressed his frustrations with the lack of VOLP control and knowledge of the situation.

Sandy Coughlin provided Council with copies of the January 22, 2009 EDC agenda.

## *Economic Development Commission*

*Village of Lake Park Council & Lake Park Business Leaders*

### AGENDA

Date: January 22, 2008  
Time: 6:30 pm  
Location: Lucas Lawn & Landscaping, 3316 Faith Church Road  
Attending: \_\_S. Coughlin \_\_D. Lucas \_\_K. Spence \_\_C. Williams \_\_S. Williams  
Guests:

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1. Reflection
2. Minutes: November 20, 2008
3. Announcements / Council Update
  - 3a: Modular units at Central Academy at Lake Park
4. Finance
  - 2008-2009 Budget: \$1800
5. Old Business
  - 5a: Town Centre Directional  
Location Decision
6. New Business
  - 6a: Workshop Program:  
March \_\_\_\_, 2008 Time: \_\_:\_\_p.m.  
Topic \_\_\_\_\_

- Tour \_\_\_\_\_
- 6b: Indian Trail Economic Development: Charles Williams New Items  
6c: Tax Workshop News
7. 2009 GOALS
8. February Agenda: Add \_\_\_\_\_  
Remove \_\_\_\_\_
9. Adjourn

**SET AGENDA FOR FEBRUARY 10, 2009:** Delete 7. – Community Center Expansion.

**COUNCIL COMMENTS:**

Virginia Currence stated that it was good to hear from the residents and that 2009 is going to be a busy year between addressing the Community Center expansion and the Parks and retaining ponds needs.

Jo Waybright would like to see Council come up with a plan to educate the citizens of Lake Park.

Clint Newton thanked everyone for their participation in the heated discussion.

Sandy Coughlin thanked Dr. Reid Keiger for planning and implementing the prayer service for the economically stressed in the community. She also thanked Council for signing the Christmas card to Corporal Shawn White. He was very appreciative of the card.

Kendall Spence thanked everyone for being willing to be actively involved in the Village of Lake Park.

**ADJOURN:** Jo Waybright made a motion to adjourn the meeting. Clint Newton seconded the motion. Vote – Unanimous.

Respectfully submitted,

\_\_\_\_\_  
Mayor Kendall Spence

\_\_\_\_\_  
Village Clerk, Cheri Clark